

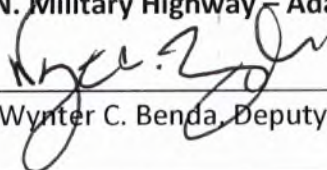


To the Honorable Council
City of Norfolk, Virginia

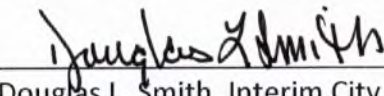
January 10, 2017

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special exception to permit an electronic outdoor advertising sign (billboard) at 1093 N. Military Highway - Adams Outdoor Advertising**

Reviewed: 
Wynter C. Benda, Deputy City Manager

Ward/Superward: 4/7

Approved: 
Douglas L. Smith, Interim City Manager

Item Number: **C-3**

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** To permit an electronic outdoor advertising sign (billboard).
- IV. **Applicant:** Adams Outdoor Advertising
- V. **Description:**
 - The site is located on the west side of N. Military Highway just south of E. Virginia Beach Boulevard.
 - The applicant proposes to replace the existing billboard with an LED-style one that is taller, but with the same square footage.
- VI. **Historic Resources Impacts:**
The site is not located within a federal, state, or local historic district.
- VII. **Public Schools Impacts**
N/A

Staff contact: Susan Pollock Hart at (757) 664-4765, susan.pollock@norfolk.gov

Attachments:

- Proponents and Opponents
- Staff Report to CPC dated December 8, 2016 with attachments
- Ordinance

Planning Commission Public Hearing: December 8, 2016

Executive Secretary: George M. Homewood, FAICP, CFM

Planner: Susan Pollock Hart, CFM

JS

AP

Staff Report	Item No. 7	
Address	1093 N. Military Highway	
Applicant	Adam's Outdoor Advertising	
Request	Special Exception	Permit an Outdoor Advertising Sign
Property Owner	Bloom, Inc	
Site Characteristics	Site Area	1.3 acres
	Future Land Use Map	Commercial
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	N/A
	Character District	Suburban
Surrounding Area	North	C-2: Cook Out Restaurant
	East	C-3: (Retail Center District): Across N. Military Highway, Verizon, Liberty Tax Service, Burger King
	South	C-2: Chipotle, Lowe's
	West	I-2 (Light Industrial District): Mini-Price Storage



A. Summary of Request

- The site is located on the west side of N. Military Highway just south of E. Virginia Beach Boulevard.
- The applicant proposes to replace the existing billboard with an LED-style one that is taller but with the same square footage.

B. Plan Consistency

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as Commercial.

C. Zoning Analysis

i. General

- Section 16-9 in the *Zoning Ordinance of the City of Norfolk*, 1992, as amended addresses Outdoor Advertising Signs (billboards).
- The regulations require the following:
- The applicant proposes to remove the existing billboard on the site that is 26 feet tall, and 378 square feet per face with a 5.6 foot setback from N. Military Highway.
- The proposed billboard will be a LED-style sign that is 32.5 feet tall, with the same square footage.
- The proposed billboard will comply with all of the following development standards including the required 20 foot setback from N. Military Highway:
 - Require a special exception unless an existing billboard is being replaced along any interstate highway.
 - Limit height of 45 feet if facing any interstate highway or 35 feet if facing any other street.
 - Limit location of billboards to C-2, C-3, C-4, I-1, I-2, or I-3 zoning districts.
 - Prohibit them on rooftops.
 - Require a 20 foot setback from any right-of-way.
 - Prohibit them from being oriented towards any body of water.
 - Limit the number of faces to two and the square footage to 450 square feet in Commercial districts and 750 square feet.
 - Require 500 feet between billboards on the same side of the street.
 - Prohibit billboard within 200 feet of any underpass, overpass, bridge or tunnel.
 - Prohibit billboard within 300 feet of any residentially zoned district.

ii. Parking

There is no parking required for a billboard.

iii. Flood Zone

The property is located in the X (Low to Moderate) Flood Zone, which is a low-risk flood zone.

D. Transportation Impacts

N/A

E. Historic Resource Impacts

The site is not located within a federal, state, or local historic district.

F. Public School Impacts

N/A

G. Environment Impacts

- A new LED style sign will be constructed on the existing footing and pole which will be modified to accommodate the increased height.
- A new special exception, as well as building and electrical permits are required.
- Additional landscaping at the base of the new sign will be required.

H. AICUZ Impacts

N/A

I. Surrounding Area/Site Impacts

- The new billboard will be the same square footage as the existing one, but the existing pole and footing will be modified to allow a sign that is 6.5 feet taller.
- The increased height will be offset as the faces of the new LED style billboard will be an additional 15 feet back from where the existing billboard is currently located.
- A condition requiring substantial landscaping around the base of the billboard will be required where as now, there is none.

J. Payment of Taxes

The owners of the property are current on all real estate taxes.

K. Civic League

N/A

L. Communication Outreach/Notification

- Legal notice was posted on the property on November 1.
- Letters were mailed to all property owners within 300 feet of the property on November 23.
- Legal notification was placed in *The Virginian-Pilot* on November 24 and December 1.

M. Recommendation

Staff recommends that the existing billboard be allowed to be replaced with a conforming billboard subject to the following conditions:

1. The billboard shall be no taller than 32 feet, 6 inches in height and have no more than 378 square feet per sign face.
2. The sign shall be set back no less than 20 feet from N. Military Highway.

3. Landscaping around the base of the sign, shall be the equivalent to the square footage of one sign face.
4. The billboard shall be self-dimming and the brightness shall not exceed .5 foot candles from a distance of 200 feet.
5. The 'stall time' shall not be less than 4 seconds per message.
6. There shall be no animation.

Attachments

Location map

Zoning map

Application

Notification list of all property owners within 300 feet of the site

Proponents and Opponents


Proponents

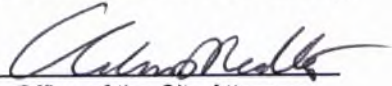
Stephen R. Romine – Applicant
999 Waterside Drive Suite 2100,
Norfolk, VA 23510

Brian Roeser – Applicant
5547 E. Virginia Beach Blvd,
Norfolk, VA 25454

Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved:

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT A BILLBOARD FOR ADAMS OUTDOOR ADVERTISING ON PROPERTY LOCATED AT 1093 NORTH MILITARY HIGHWAY.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the use of an outdoor advertising sign ("billboard") by Adams Outdoor Advertising, Inc. on property located at 1093 North Military Highway. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 230 feet, more or less, along the western line of North Military Highway beginning 135 feet, more or less, from the southern line of Valley Drive and extending southwardly; premises numbered 1093 North Military Highway.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

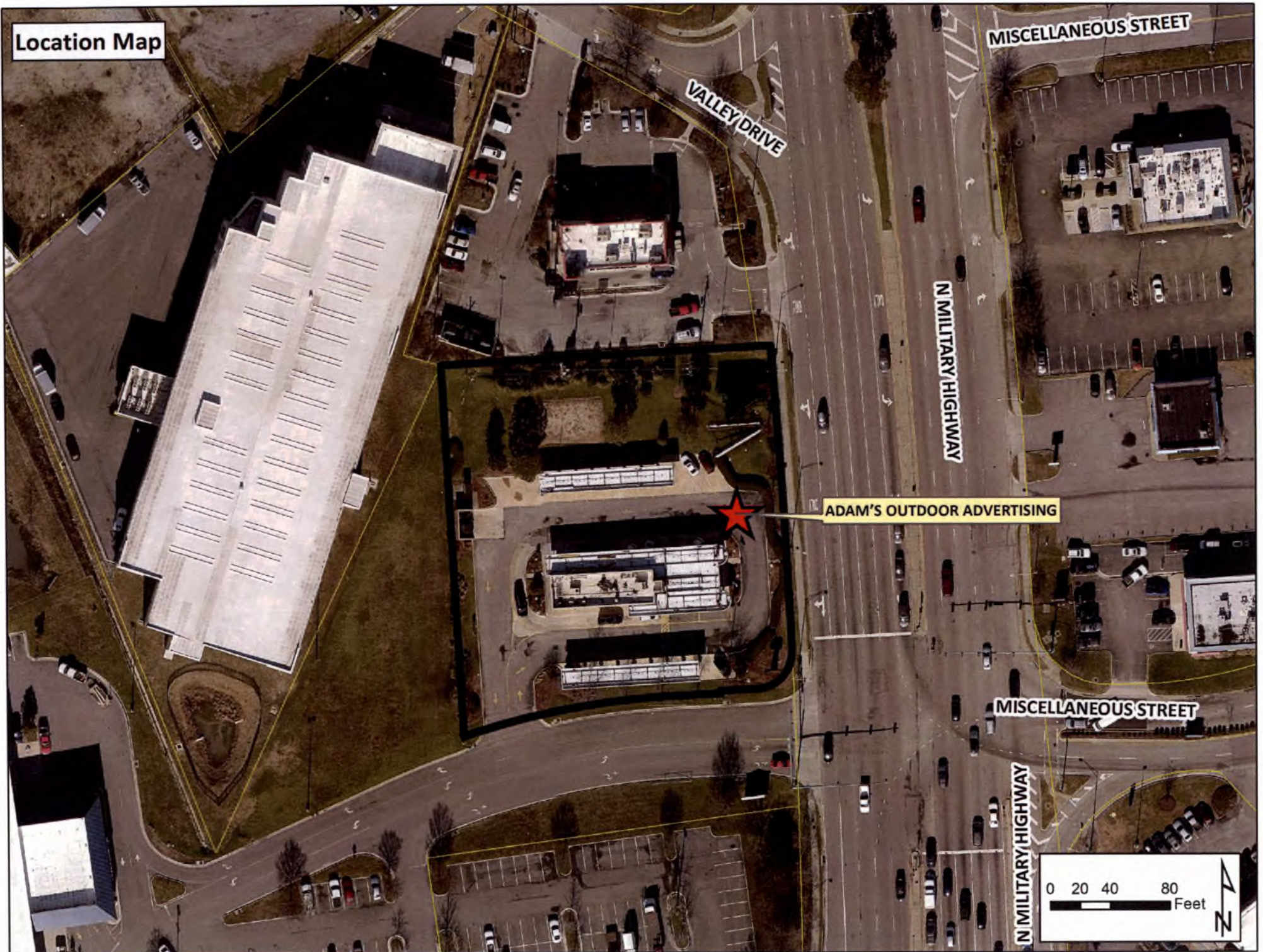
- (a) The billboard shall be self-dimming and the brightness shall not exceed 0.5 foot-candles measured from a distance of 200 feet.
- (b) Messages shall not change more frequently than once every four (4) seconds.
- (c) No animation or motion video shall be displayed.
- (d) No sign face shall exceed 36 feet in length.
- (e) No sign face shall exceed 10.5 feet in height.
- (f) No more than two (2) sign faces are permitted.
- (g) The billboard shall not exceed 35 feet in height at its highest point, measured from the grade of the

highway or street at the point of its nearest proximity to the sign.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended).

Section 4:- That this ordinance shall be in effect from the date of its adoption.

Location Map



VALLEY DRIVE

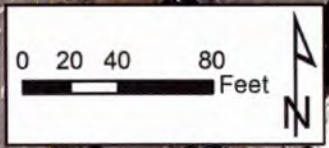
MISCELLANEOUS STREET

N MILITARY HIGHWAY

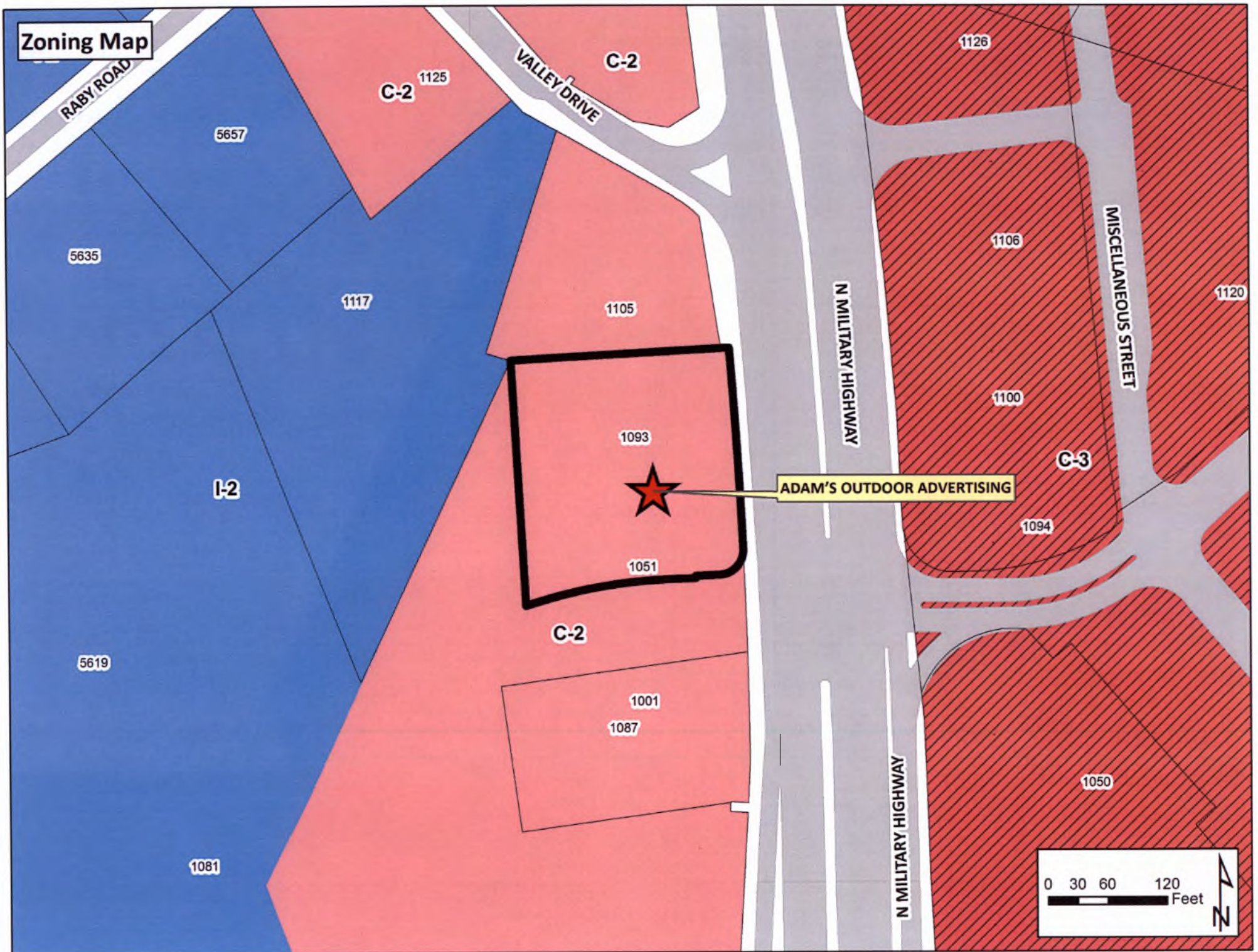
ADAM'S OUTDOOR ADVERTISING

MISCELLANEOUS STREET

N MILITARY HIGHWAY



Zoning Map





APPLICATION SPECIAL EXCEPTION

Special Exception for: Convert existing static sign to digital and increase height to permitted limit of 35'

Date of application: October 24, 2016

DESCRIPTION OF PROPERTY

Property location: (Street Number) 1093 (Street Name) N. Military Highway

Existing Use of Property Drive-thru restaurant and existing billboard

Current Building Square Footage 1,538 sq. ft.

Proposed Use

A special exception is needed to convert the existing static sign to digital and increase height to the permitted limit of 35'. The over-all appearance will remain the same.

Proposed Square Footage n/a

Proposed Hours of Operation:

Weekday From 24 hours To billboard

Friday From 24 hours To

Saturday From 24 hours To

Sunday From 24 hours To

Trade Name of Business (If applicable) Sonic Drive-thru restaurant

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

**Application
Special Exception
Page 2**

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax ()

E-mail address of applicant:

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax ()

E-mail address of applicant:

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) (First) (MI)

Mailing address of property owner (Street/P.O. box):

(City) (State) (Zip Code)

Daytime telephone number of owner () email:

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

CIVIC LEAGUE INFORMATION

Civic League contact: No civic league

Date(s) contacted: n/a

Ward/Super Ward information: Ward 4/Paul R. Riddick & Ward 7/Angelia Williams Graves

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Boon Ice Mike Irans Sign: [Signature] / 10/24/16
(Property Owner or Authorized Agent of Signature) (Date)

Print name: _____ Sign: _____ / _____
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / _____
(Authorized Agent Signature) (Date)

CIVIC LEAGUE INFORMATION

Civic League contact: No Civic League

Date(s) contacted: n/a

Ward/Super Ward information: Ward 4/Paul R. Riddick & Ward 7/Angelia Williams Graves

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: _____ Sign: _____ / _____ / _____
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Brian Roeser Sign: Brian Roeser / 10 / 24/16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: Stephen R. Romine, Agent Sign: Stephen R. Romine, Agent / 10 / 24/16
(Authorized Agent Signature) (Date)

APPLICATION SPECIAL EXCEPTION
DESCRIPTION OF PROPOSAL

NATURE OF PROPOSED USE

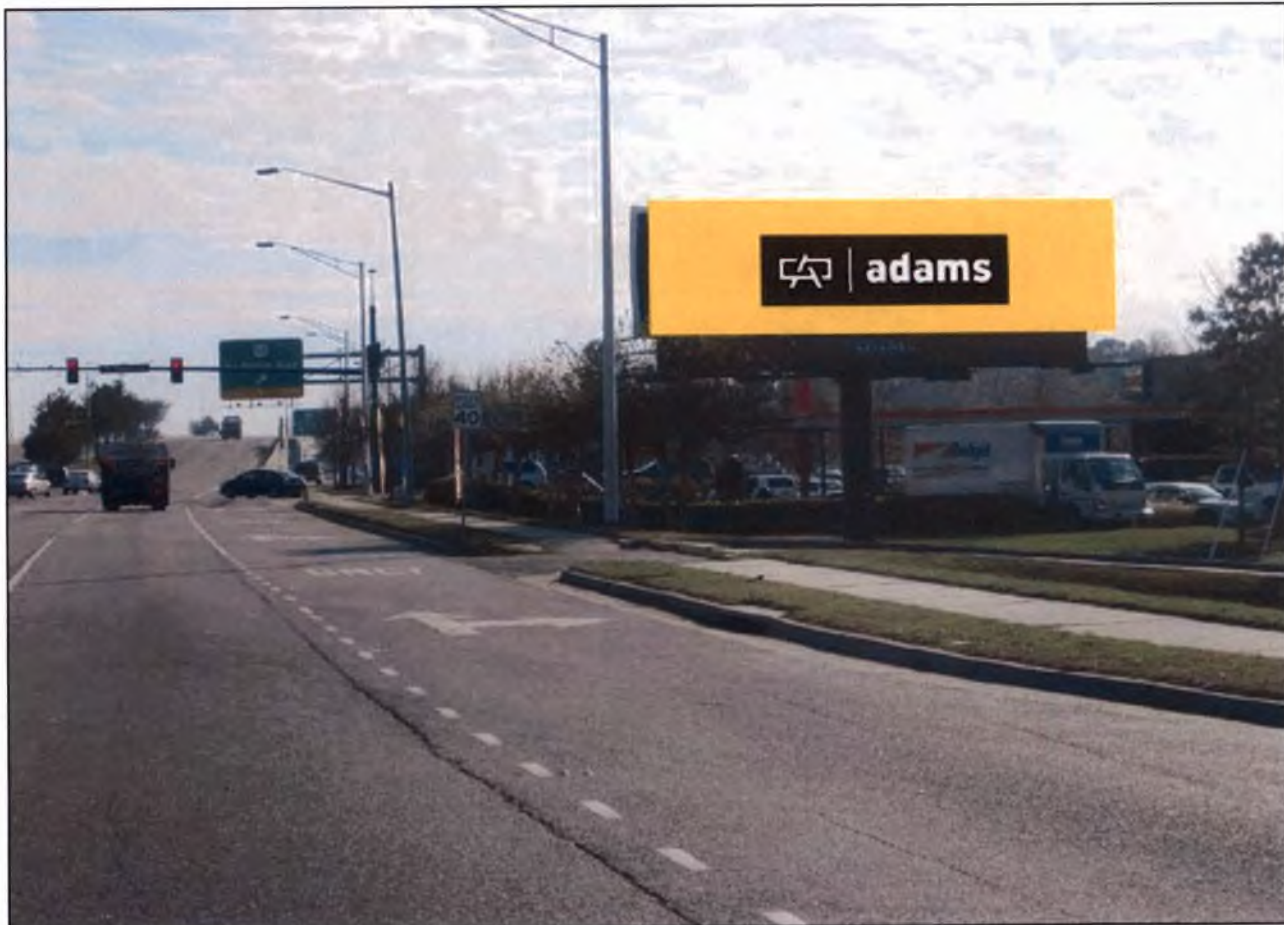
Adams Outdoor Advertising seeks a Special Exception Application to convert an existing static sign to digital and to increase the height of the sign to the permitted limit of 35' on a portion of an 1.190 acre parcel at 1093 N. Military Highway, identified as GPIN Number 1458206460 ("the Property"). The Property is currently zoned C-2.

The fee simple owner of this Property is Boom, Inc., a South Carolina corporation ("Boom"). Mike Irons, CEO and President of Boom, has executed the Conditional Use Permit Application.

1093 N MILITARY HWY 0.2 mi N/O VIRGINIA BEACH BLVD WS

Media Type: Bulletins

Unit Type: Back to Back



Face Number:	2252
Direction Facing:	North
Adults 18+ EOI (CBSA):	150,095
Illuminated:	Y
Size:	10'6" X 36'
City:	Norfolk
State:	Virginia
ZipCode:	23502
Latitude:	36.859350
Longitude:	-76.210280

ADAMS OUTDOOR ADVERTISING
 5547 Virginia Beach Blvd
 Norfolk, VA 23502-2417
 TEL: (757) 461-1355 FAX (757) 455-5897
www.adamsoutdoor.com



Click above image to view in Google maps

NOTES

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ANY/EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN.
2. THIS PROPERTY APPEARS TO FALL IN FLOOD ZONE X AS SHOWN ON PANEL 0145F OF THE FLOOD INSURANCE RATE MAPS FOR THE CITY OF NORFOLK, COMMUNITY NO.: 510104, DATED SEPTEMBER 2, 2008. FLOOD ZONE INFORMATION SHOWN HEREON IS NOT GUARANTEED AND WAS APPROXIMATELY SCALED FROM THE FLOOD INSURANCE RATE MAPS FOR THE CITY/COUNTY INDICATED. MSA, P.C. IS NOT A PARTY IN DETERMINING THE REQUIREMENTS FOR FLOOD INSURANCE ON THE PROPERTY SHOWN. FOR FURTHER INFORMATION AND TO CONFIRM THE FLOOD ZONE FOR THIS PROPERTY, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL. FLOOD ZONE DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAPS AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE.
3. CURRENT OWNER PER CITY OF NORFOLK TAX ASSESSOR IS BROOM, INC., A SOUTH CAROLINA CORPORATION AUTHORIZED TO TRANSACT BUSINESS IN THE COMMONWEALTH OF VIRGINIA, SOURCE OF TITLE: (INST. NO. 080008940).
4. THIS SURVEY DOES NOT ADDRESS THE EXISTENCE OR NONEXISTENCE OF WETLANDS, ENVIRONMENTAL HAZARDS, CEMETERIES OR ANY UNDERGROUND STRUCTURE NOT OBSERVED DURING THE COURSE OF THE SURVEY.
5. THE PURPOSE OF THIS FIELD SURVEYED EXHIBIT IS TO SHOW THE RELATIONSHIP OF THE BILLBOARD TO THE PROPERTY LINE.

N/F
LOWE'S HOME CENTERS, INC.
(NOW KNOWN AS LOWE'S HOME CENTERS, LLC)
(INST. NO. 000002380)
(INST. NO. 000003377)
(INST. NO. 000003378)
(INST. NO. 000006132)
PARCEL 1A-1
(MB 74, PG 120)
GPN:1458-20-2072
#1081 NORTH MILITARY HIGHWAY

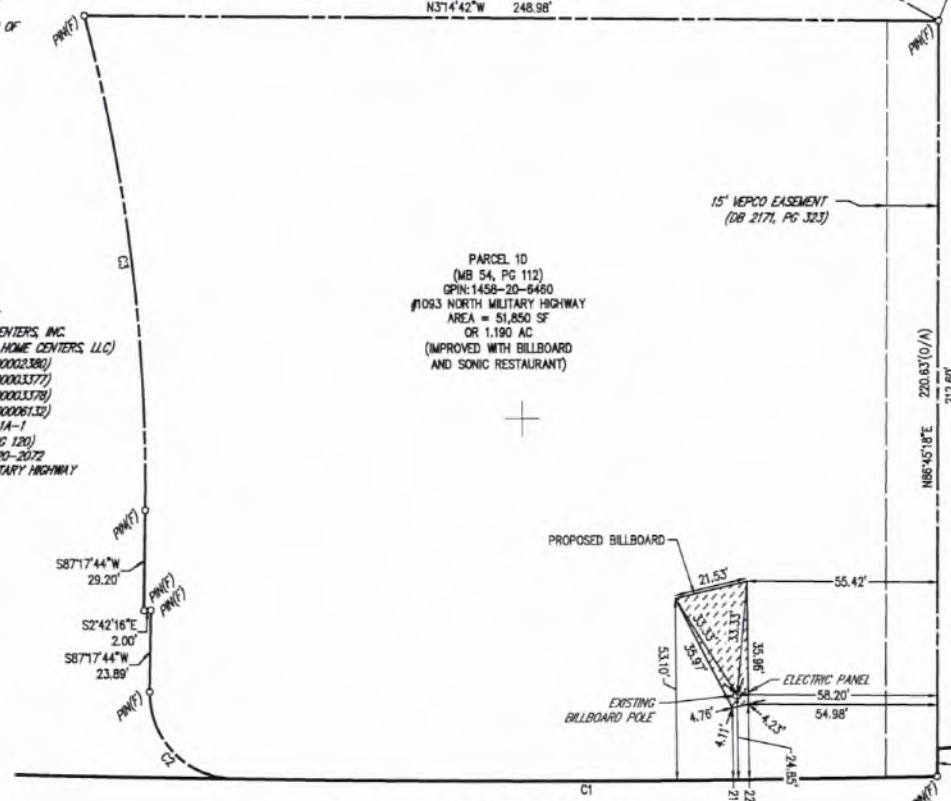
N/F
VALLEY DRIVE STORAGE, LLC,
A VIRGINIA LIMITED LIABILITY COMPANY
(INST. NO. 130000042)
LOT 1
(MB 70, PG 30)
GPN:1458-20-4512
#1117 VALLEY DRIVE

N37°4'42"W 248.98'

N/F
LOWE'S HOME CENTERS, INC.
(NOW KNOWN AS LOWE'S HOME CENTERS, LLC)
(INST. NO. 000002380)
(INST. NO. 000003377)
(INST. NO. 000003378)
(INST. NO. 000006132)
PARCEL 1A-1
(MB 74, PG 120)
GPN:1458-20-2072
#1081 NORTH MILITARY HIGHWAY

PARCEL 1D
(MB 54, PG 112)
GPN:1458-20-6460
#1093 NORTH MILITARY HIGHWAY
AREA = 51,850 SF
OR 1.190 AC
(IMPROVED WITH BILLBOARD
AND SONIC RESTAURANT)

N/F
COOK OUT - MILITARY HWY, INC.,
A VIRGINIA CORPORATION
(INST. NO. 120013798)
LOT 2
(MB 70, PG 30)
GPN:1458-20-6632
#1105 NORTH MILITARY HIGHWAY



N. MILITARY HIGHWAY - U.S. HIGHWAY 13
(VARIABLE WIDTH R/W)
(DB 404, PG 278)
VDOT PLAN 0013-122-RW-204
(MB 70, PG 30)

VALLEY DRIVE (80 R/W)
(15' NEPCO EASEMENT AND VALLEY DRIVE)
(MB 70, PG 30)



LOCATION MAP - SCALE: 1" = 2,000'

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PERMITTED USE NO. 12222014

EASEMENT NOTES:

1. POSSIBLE TRAFFIC CONTROL AND STORM DRAINAGE EASEMENTS ALONG MILITARY HIGHWAY AS PER VDOT PLAN 013-122-RW-204. (RECORDATION STATUS UNKNOWN AT TIME OF SURVEY)

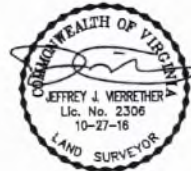
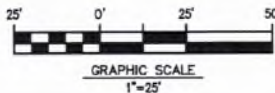


EXHIBIT SHOWING
PROPOSED BILLBOARD ON
PARCEL 1D
(MB 54, PG 112)
GPN:1458-20-6460
NORFOLK, VIRGINIA
OCTOBER 27, 2016

MSA, P.C.
Environmental Science • Planning • Surveying
Civil & Environmental Engineering • Landscape Architecture
5033 Route Drive, Virginia Beach, VA 23462
757-480-9284 (202) 757-480-6634 (Fax)
www.msaonline.com

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	5843.58'	204.25'	102.14'	204.24'	S3° 44' 47"E	2'04"25"
C2	25.00'	39.27'	25.00'	35.36'	S42° 17' 35"W	90°00'18"
C3	531.50'	145.70'	73.31'	145.25'	S78° 26' 31"W	15°42'25"



FB:
DRWN. BY WGS
CHK'D. BY JJV DATE 10-27-16

Adams Outdoor Advertising - Notification sent to all Property Owners within 300 feet

<u>Property Owner</u>	<u>Property Address</u>	<u>Mailing Address</u>		
Valley Drive Storage, Llc	5657 Raby Rd	2900 Sabre St Ste 75	Virginia Beach	VA
American Cancer Society Inc	1125 Valley Dr	250 Williams St Nw	Atlanta	GA
E L Hudson Enterprises, Llc	5635 Raby Rd	2428 Almeda Ave Ste 110	Norfolk	VA
American Heart Assoc Inc The	1094 N Military Hwy	5900 E Virginia Beach Blvd Ste 520	Norfolk	VA
American Heart Assoc Inc The	1094 N Military Hwy	5900 E Virginia Beach Blvd Ste 520	Norfolk	VA
American Heart Assoc Inc The	1094 N Military Hwy	5900 E Virginia Beach Blvd Ste 520	Norfolk	VA
American Heart Assoc Inc The	1094 N Military Hwy	5900 E Virginia Beach Blvd Ste 520	Norfolk	VA
American Heart Assoc Inc The	1020 N Military Hwy	5900 E Virginia Beach Blvd Ste 520	Norfolk	VA
American Heart Assoc Inc The	1020 N Military Hwy	5900 E Virginia Beach Blvd Ste 520	Norfolk	VA
Boom, Inc	1093 N Military Hwy	5623 Fairfield Rd	Columbia	SC
American Heart Assoc Inc The	5802 E Virginia Beach Blvd	5900 E Virginia Beach Blvd	Norfolk	VA
American Cancer Society Inc	1113 N Military Hwy	2268 Haversham Close	Virginia Beach	VA
American Cancer Society Inc	1113 N Military Hwy	2268 Haversham Close	Virginia Beach	VA
Valley Drive Storage, Llc	1117 Valley Dr	2900 Sabre St Ste 75	Virginia Beach	VA
Cook Out - Military Hwy, Inc	1105 N Military Hwy	1105 N Military Hwy	Norfolk	VA
1081 Military Highway				
Holdings, Llc	1087 N Military Hwy	4800 N Federal Highway Ste 201b	Boca Raton	FL
Lowes Home Centers Inc	1081 N Military Hwy	4800 N Federal Highway Ste 201b	Boca Raton	FL
Lowes Home Centers Inc	1081 N Military Hwy	4800 N Federal Highway Ste 201b	Boca Raton	FL